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| Customer No. | 026418 | | # |
| Attorney's Docket No.: | GK-ZEI-3161 / 500343.20162 | | |
| U.S. Application No.: | 10/089,878 | | |
| International Application No.: | PCT/EP01/09049 | | 3 |
| International Filing Date: | AUGUST 04, 2001 | 04 AUGUST 2001 | |
| Priority Date Claimed: | AUGUST 08, 2000 | 08 AUGUST 2000 | |
| Title of Invention: | ASSEMBLY FOR INCREASING THE DEPTH DISCRIMINATION OF AN OPTICAL IMAGING SYSTEM (Anordnung zur Erhöhung der Tiefendiskriminierung Optisch Abbildender Systeme) | | |
| Applicant(s) for (DO/EO/US): | Volker GERSTNER, Frank HECHT, Ralph LANGE and Helmut BLOOS | | |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- [] 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 [X] 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 [] 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)] at any time rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C. 371(b) and PCT Articles 22 and
 [] 4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 [] 5. A copy of **Publication WO 02/12945 14FEB02** ~~the International Application as filed~~ [35 U.S.C. 371(c)(2)]
 a) ☐ is transmitted herewith (required only if not transmitted by the International Bureau)
 b) ☐ has been transmitted by the international Bureau
 c) ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
 [X] 6. A translation of **Publication WO 02/12945 14FEB02** ~~the International Application~~ into English [35 U.S.C. 371(c)(2)] [] 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 a) ☐ are transmitted herewith (required only if not transmitted by the International Bureau)
 b) ☐ have been transmitted by the International Bureau
 c) ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 d) ☐ have not been made and will not be made
 [X] 8. A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
 [X] 9. An EXECUTED Oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
 [] 10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

Items 11. to 16. Below concern other document(s) or information included:

- [] 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98
 [] 12. An Assignment document for recording. A separate cover sheet (PTO-1619A) in compliance with 37 CFR 3.28 and 3.31 is included.
 [X] 13. ☒ A **FIRST** preliminary amendment
 ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment
 [X] 14. A **substitute specification** with abstract (attached to the preliminary amendment)
 [] 15. A change of power of attorney and/or address letter
 [X] 16. (other items or information) **PCT/DO/EO/905 (371 Formalities Letter) and WO 02/12945 A3 with amended claims and new claims**

EXPRESS MAIL No.: **EV 168 021 219 US**

Deposited: **August 12, 2002**

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: BOX PCT, Commissioner for Patents, Washington, DC 20231.

Ruth Montalvo

/Ruth Montalvo Date: **August 12, 2002**

CALCULATIONS

PTO USE ONLY

☒ 17. The following fees are submitted:
BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]

| | |
|--|-------------|
| <input type="checkbox"/> Search Report has been prepared by the EPO or JPO | \$ 890.00 |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO [37 CFR 1.482] | \$ 710.00 |
| <input type="checkbox"/> No International preliminary examination fee paid to USPTO [37 CFR 1.482] but International search fee paid to USPTO [37 CFR 1.445(a)(2)] | \$ 740.00 |
| <input type="checkbox"/> Neither International preliminary examination fee [37 CFR 1.482] nor International search fee [37 CFR 1.445(a)(2)] paid to USPTO | \$ 1,040.00 |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO [37 CFR 1.482] and all claims satisfied provisions of PCT Article 33(1)-(4) | \$ 100.00 |

ENTER APPROPRIATE BASIC FEE AMOUNT:

| Claims | Number Filed | | Number Extra | Rate | |
|--|--------------|-----|--------------|------------|------------|
| Total Claims (Prel. Amdt) | 51 | -20 | 31 | x \$ 18. = | \$ 558.00 |
| Indep. Claims | 16 | -03 | 13 | x \$ 84. = | \$1,092.00 |
| <input type="checkbox"/> Multiple Dependent Claim(s) (if applicable) + \$ 280. = | | | | | |

TOTAL OF ABOVE CALCULATIONS: \$1,650.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date [37 CFR 1.492(e)]

\$ 130.00

TOTAL OF ABOVE CALCULATIONS: \$1,780.00

Applicant claims Small Entity Status [See 37 CFR 1.27] Reduction by 1/2 for filing by small entity

SUBTOTAL: \$1,780.00

Processing fee of \$130.00 for furnishing the English Translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date [37 CFR 1.492(f)]

\$ 130.00

TOTAL NATIONAL FEE: \$1,910.00

Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property +

TOTAL FEE(S): \$1,910.00

AMOUNTS TO BE
REFUNDED OR CHARGEDREFUNDED
CHARGED \$
\$

(Please note the ADDITIONAL filing fee is based on the claims in the Preliminary Amendment)

☒ Check in the amount of \$ 1,910.00 to cover the above fees is enclosed. (The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 50-1529.)

NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Gerald H. Kiel, Esq.

Reed Smith LLP

599 Lexington Avenue

York, NY 10022-7650

(Customer No. 026418)

Gerald H. Kiel

Name (Tel. (212) 521-5400)

Signature

25,116

Reg. No.

August 12, 2002

Date

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| IN THE UNITED STATES PATENT AND TRADEMARK OFFICE | | |
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ENGLISH
TRANSLATION
OF
Publication No. WO 02/12945



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

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|-------------------------------|-----------------------|--------------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/089,878 | Volker Gerstner | GK-ZEI-3161/500343.20162 |
| INTERNATIONAL APPLICATION NO. | | |
| PCT/EP01/09049 | | |
| I.A. FILING DATE | PRIORITY DATE | |
| 08/04/2001 | 08/08/2000 | |

 026418
 REED SMITH LLP
 375 PARK AVENUE
 NEW YORK, NY 10152

CONFIRMATION NO. 1430

371 FORMALITIES LETTER



OC000000008274823

Date Mailed: 06/13/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

DOCKET Aug. 13, 2002 Executed Decl. Done
 DUE Aug. 13, 2002 Translation Application into Done

of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|--------------------------|
| 10/089,878 | PCT/EP01/09049 | GK-ZEI-3161/500343.20162 |